

ORIGINAL

BEFORE THE

DOCKET FILE COPY ORIGINAL

Federal Communications Commission

WASHINGTON, DC 20554

In the Matter of Section 73.202(b)
Table of Allotments
FM Broadcast Stations
(Durant, Oklahoma and Tom Bean,
Texas)

) MB Docket No. _____
)
) RM- _____
)
)

RECEIVED

SEP - 3 2004

To: Office of the Secretary
Attn: Assistant Chief, Audio Division
Media Bureau

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

PETITION FOR RULE MAKING

NM Licensing, LLC ("NM"), licensee of Station KLAQ(FM), Durant, Oklahoma, by its counsel, hereby submits this Petition for Rule Making, which proposes to delete Channel 248C2 at Durant, Oklahoma and allot Channel 248C2 at Tom Bean, Texas as its first local transmission service. If this Petition is granted, NM will file an application for Channel 248C2 at Tom Bean, Texas proposing to modify the facilities of Station KLAQ(FM) in accordance with the proposed change in allotment.¹ Upon approval of the application, NM will construct and operate the facilities specified in the construction permit. The following table summarizes the changes requested in this Petition:

City	Channel	
	Existing	Proposed
Durant, Oklahoma	248C2	--
Tom Bean, Texas	--	248C2

No. of Copies rec'd 044
List ABCDE

MB 04-156

¹ Station KLAQ(FM) is presently licensed to operate on Channel 248C2 at Durant.

I. Technical Analysis

1. As demonstrated in the attached Engineering Statement prepared by NM's consultant, Hatfield & Dawson, Channel 248C2 can be allotted to Tom Bean, Texas at coordinates 33°28'52" North Latitude, 96°32'03" West Longitude, consistent with Section 73.207 of the Commission's rules with respect to all existing and proposed domestic allotments and facilities.² A greater than 70 dBu signal can be provided to all of Tom Bean from this site.

2. The Engineering Statement also demonstrates that the proposal will produce no net change in area served by KLAK, but will produce a net gain of service to some 289,989 persons. The entire loss area created by the proposal will continue to be well-served by in excess of five aural services.

II. Change in Community of License

3. NM desires to change the community of license for Station KLAK from Durant to Tom Bean under the guidelines specified in *Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License*, 4 FCC Rcd 4870 (1989), recon. granted in part, 5 FCC Rcd 7094 (1990). In that Order, the Commission stated that a station may change its community of license without subjecting the license to other expressions of interest if (1) the proposed allotment is mutually exclusive with the current allotment; (2) the current community of license will not be deprived of its only local service; and

² Hatfield & Dawson's spacing study indicates there are no technical impediments to the allotment.

(3) the proposed arrangement of allotments is preferred under the Commission's allotment priorities.

4. All of these criteria are met here. First, the proposed use of Channel 248C2 at Tom Bean is mutually exclusive with the current use of Channel 248C2 at Durant. *See Engineering Statement*. Second, Durant will not be deprived of its only local service because it is currently served by stations KSEO(AM) and KAYC(FM), KSSU(FM), and KLBC(FM). Third, the provision of a first local transmission service to Tom Bean under FM Priority 3 will result in a preferential arrangement of allotments as compared to the retention of five local services at Durant, which serves only FM Priority 4. *See Revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1982)*.

5. Tom Bean is a community deserving of a first local community service preference. The proposed city of license is an incorporated city with a 2000 Census population of 941 persons. (See Exhibit 1.) Because of its listing in the Census, Tom Bean is presumed to be a community for allotment purposes. *See Arnold and Columbia, California, 7 FCC Rcd 6302 (1992)*. It is not located within any Urbanized Area and is geographically isolated from larger communities in the same region of northern Texas and Oklahoma. (*Id.*) Further, Tom Bean has its own zip code (75489) and post office, its own city government, including a city hall, a mayor and city council, police and fire departments, and a municipal court (see Exhibit 1(a), numerous businesses and churches, and a complete school system from elementary through high school. (See Exhibit 1(c).)

6. A showing under *Faye and Richard Tuck*, 3 FCC Rcd 5374 (1988) ("*Tuck*") is not required here. As the Engineering Statement notes, the allotment of Channel 248C2 at Tom Bean will result in a facility providing 70 dBu service to 99% of the Sherman, Texas Urbanized Area. However, the existing allotment at Durant already provides 70 dBu service to 100% of the Sherman Urbanized Area, so the proposed continued penetration of that Urbanized Area is inconsequential. See *Dayton, Incline Village and Reno, Nevada*, 15 FCC Rcd 22461 (2000); *St. Maries, Idaho and Spokane, Washington*, 14 FCC Rcd 17012 (1999); *Boulder and Lafayette, Colorado*, 12 FCC Rcd 583 (1997). Further, while the facilities contemplated by the Tom Bean allotment will provide 70 dBu service for the first time to 27% of the McKinney, Texas Urbanized Area (see Engineering Statement), this falls far short of the 50% coverage trigger for requiring *Tuck* showings in *Headland, Alabama and Chattahoochee, Florida*, 10 FCC Rcd 10342 (1995).

7. Although not required by Commission policies, NM provides below a showing regarding the *Tuck* criteria as applied to the instant proposal. The first *Tuck* factor requires the Commission to examine the signal population coverage for the proposed transmitted site. See *Tuck*, 3 FCC Rcd at 5375. Here, as noted above, the proposed facility will serve 99% of the Sherman Urbanized Area and 27% of the McKinney Urbanized Area. However, KLAK currently already serves 100% of the former. The new service to the McKinney UA is overwhelmingly outweighed by the evidence of Tom Bean's independence and its lack of ties to that Urbanized Area.

8. The second *Tuck* factor requires the Commission to examine the size and proximity of the proposed community relative to the nearby city. See *Tuck*, 3 FCC Rcd at 5374. The 2000 Census population of Tom Bean (941) is 2.6% of the population of Sherman (35,082) and 1.7% of the population of McKinney (54,369). Tom Bean is ten miles from Sherman and 33 miles from McKinney. These numerical relationships are similar to those of the other communities to which the Commission has granted a local preference in prior cases. See, *e.g.*, *Old Fort, Fletcher, and Asheville, North Carolina*; *Surgoinsville, Tennessee* and *Augusta, Georgia*, 18 FCC Rcd 12181 (2003); *Malvern and Bryant, Arkansas*, 14 FCC Rcd 3576 (1999); *Ada, Newcastle and Watonga, Oklahoma*, 11 FCC Rcd 16896 (1996). In any event, the Commission has repeatedly stated that size and signal coverage factors are less important than evidence of independence. *Headland, Alabama* and *Chattahoochee, Florida*, *supra*.

9. With regard to the eight-factor *Tuck* test, the Commission also inquires into the extent to which residents of Tom Bean work in the community. Census data included in Exhibit 1 indicate that 15% of Tom Bean's residents work in the community, a percentage which compares favorably with the ratios in other Commission decisions finding independence. See *Lebanon and Speedway, Indiana*, DA 02-3418 (2002).

10. Next, the Commission considers whether there exist newspapers and other local media that cover Tom Bean's needs and interests. The *Whitewright Weekly* is published in Whitewright -- six miles from Tom Bean -- on a weekly basis.

11. Further, community leaders in Tom Bean perceive it as being a separate, independent community. For example, Exhibit 1(a) includes materials regarding a newly formed Tom Bean Lions Club which meets twice monthly. It also includes a newsletter posted by the mayor of Tom Bean, citing numerous municipal projects such as clean up efforts, a new water well site, sewerage construction, a brick memorial wall located inside the municipal community center, and a “national night out” rally to celebrate local law enforcement efforts. It is also pertinent that Tom Bean has a long history as an independent community. It was established in 1888, and that year a post office opened in Tom Bean. As early as the 1890’s, the incorporated town had a school, general store, other businesses and a newspaper. See Exhibit 1(b).

12. Tom Bean is home to numerous businesses, many of which identify themselves with the city’s name. Examples include: First National Bank of Tom Bean, Tom Bean Realty, Tom Bean General Store, and Tom Bean Snap Center. There are also numerous churches in Tom Bean. See Exhibit 1(c).

13. Tom Bean is a separate and distinct advertising market since businesses and residents can advertise in the Whitewright Weekly.

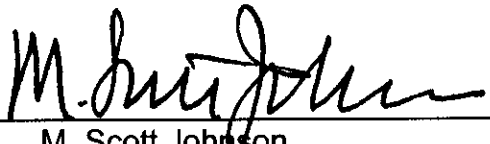
14. As noted above, Tom Bean has its own complete school system and police and fire departments.

15. The *Tuck* analysis set forth above and in the attached exhibit, demonstrates that Tom Bean is an independent community deserving of a first local service.

16. Accordingly, the Commission should delete Channel 248C2 at Durant, Oklahoma and allot that channel to Tom Bean, Texas as that community's first local service. NM reiterates that if the Commission grants this petition, NM will file an application for a construction permit for the authorized facilities and thereafter construct and operate the Station with such facilities. The Commission should promptly issue a Notice of Proposed Rule Making as described herein.

Respectfully submitted,

NM LICENSING, LLC

By: 
M. Scott Johnson
Howard M. Weiss

Fletcher, Heald & Hildreth PLC
1300 North 17th Street, 11th Floor
Arlington, Virginia 22209-3801
(703) 812- 0400

Its Counsel

September 3, 2004

Engineering Statement

JAMES B. HATFIELD, PE
BENJAMIN F. DAWSON III, PE
THOMAS M. ECKELS, PE
STEPHEN S. LOCKWOOD, PE
DAVID J. PINION, PE

PAUL W. LEONARD, PE
ERIK C. SWANSON, EIT
THOMAS S. GORTON, PE

HATFIELD & DAWSON
CONSULTING ELECTRICAL ENGINEERS
9500 GREENWOOD AVE. N.
SEATTLE, WASHINGTON 98103

TELEPHONE
(206) 783-9151
FACSIMILE
(206) 789-9834
E-MAIL
hatdaw@hatdaw.com

MAURY L. HATFIELD, PE
CONSULTANT
BOX 1326
ALICE SPRINGS, NT 5950
AUSTRALIA

ENGINEERING STATEMENT

**PETITION FOR RULEMAKING TO
AMEND SECTION 73.202 OF THE RULES
AND REGULATIONS FOR THE FEDERAL
COMMUNICATIONS COMMISSION**

**TO ASSIGN FM CHANNEL 248C2
FOR USE AT TOM BEAN, TEXAS**

NM LICENSING, LLC

AUGUST 2004

Engineering Statement

This Engineering Statement has been prepared on behalf of NM Licensing, LLC ("NM"), licensee of FM station KLAK Channel 248C2 Durant, Oklahoma, in support of a Petition for Rulemaking to amend §73.202 of the Commission's Rules to reallocate Channel 248C2 from Durant to Tom Bean, Texas, and modify the license of station KLAK to specify operation at Tom Bean.

As a result of the proposed reallocation plan, Tom Bean (an incorporated city with a 2000 Census population of 941 persons) will receive its first local service. A total of 325,757 persons will receive an additional aural service, with a net gain of 289,989 persons. No white, gray, or underserved areas will be created.

Channel 248C2 at Tom Bean

As outlined in the attached channel study, Channel 248C2 can be assigned for use at Tom Bean in compliance with the Commission's applicable Rules and Regulations regarding the separation among FM allotments. The spacing study does indicate a number of short-spacings, but each of them is moot as explained below.

Hatfield & Dawson Consulting Engineers

Durant 248C2 to Keller 248C

The spacing study includes entries for the deletion of Channel 248C2 at Durant¹ and its reallocation to Keller, Texas as Channel 248C, for use by KLAK. The Keller reallocation was advanced as part of a counterproposal filed in MM Docket No. 00-148 by First Broadcasting Company, L.P., Rawhide Radio, L.L.C, NextMedia Licensing, Inc., Capstar TX Limited Partnership and Clear Channel Broadcast Licenses, Inc. ("Joint Parties"). Per the Commission's Report and Order in that proceeding (released on May 8, 2003), the Joint Parties' counterproposal was dismissed. That action was subsequently upheld per the Commission's Memorandum Opinion and Order (released on April 27, 2004).

The Commission's decision in MM Docket 00-148 is effective, although not yet final owing to a pending Application for Review. That Application for Review is, however, no impediment to the consideration of the instant proposal for Tom Bean, in accordance with the policy set forth in the Memorandum Opinion and Order in MM Docket No. 01- 104 (*Auburn, Alabama, et al*), that "We. . .believe that accepting rulemaking proposals that rely upon actions in earlier rulemaking proceedings that are effective but not final will benefit the public."

¹Note that this is the same allotment proposed to be modified by the instant proposal for Tom Bean, Texas.

Archer City 248C1

The spacing study indicates an apparent short-spacing to a Channel 248C1 allotment at Archer City, Texas, reserved for station KRZB. However, that allotment was modified to Channel 248C2 per the Commission's Report and Order in MB Docket No. 03-116, released on July 25, 2003. That action is believed to be final. The instant proposal is not short-spaced to Channel 248C2 at Archer City.

The Tom Bean Channel 248C2 allotment site is located at NL 33° 28' 52" x WL 96° 32' 03". This site is 6 kilometers from Tom Bean. The nominal distance to the 70 dBu F(50,50) contour for a Class C2 station is 32.6 kilometers. Therefore, this site will provide greater than 70 dBu coverage for all of Tom Bean.

The proposed reallocation will provide the first local service to Tom Bean, an incorporated city with a 2000 Census population of 941 persons. Durant will retain local service from AM station KSEO 750 kHz and FM stations KAYC Channel 216A, KSSU Channel 220A, and KLBC Channel 292C3.

Gain and Loss Areas

The following table lists the gain and loss areas and populations which will result from grant of the proposed reallocation plan.

Table of Gain and Loss Areas

Channel	Area and Population Served	
Durant 248C2	8,560 km ²	205,793 persons
Tom Bean 248C2	8,560 km ²	495,782 persons
Loss Area	2,573 km ²	35,768 persons
Gain Area	2,573 km ²	325,757 persons

There will be no net change in the area served, but there will be a net gain of service to 289,989 persons.

A detailed study has been made of the loss area associated with the proposed reallocation plan. The following stations will continue to provide service to the loss area²:

WBAP	820 kHz	Fort Worth	(Class A)
KRLD	1080 kHz	Dallas	(Class A)
KOMA	1520 kHz	Oklahoma City	(Class A)
KAZC	202C2	Tishomingo	
KETR	205C1	Commerce	
KVRK	209C1	Sanger	
KAYC	216A	Durant	
KYJC	217C3	Commerce	
KSSU	220A	Durant	
KTRX	224A	Dickson	
KMKT	226C3	Bells	
KIKT	228C3	Cooper	
KNOR	229C1	Krum	
KOYN	230C2	Paris	
KSOC	233C	Gainesville	
KHYI	237C2	Howe	
KTIX	238C2	Hugo	
KKAJ-FM	239C1	Ardmore	
KTYS	244C	Flower Mound	
KFYZ-FM	252C3	Bonham	
KACO	253C3	Ardmore	
KFZO	256C	Denton	
KWRD-FM	264C	Highland Village	
KTCY	269C	Azle	
KBUS	270C2	Paris	
KMAD-FM	273C2	Whitesboro	
KESN	277C	Allen	
KTDK	281C3	Sanger	
KZMP-FM	285C1	Pilot Point	
KRNB	289C	Decatur	
KLBC	292C3	Durant	
KKDL	294C	Muenster	
KPLT-FM	299C2	Paris	
KESS-FM	300C1	Lewisville	

²In determining reception service provided by FM stations, the area of service circumscribed by the station's 1.0 mV/m signal contour was considered, assuming 1) actual facilities for non-commercial stations operating on reserved channels, 2) maximum facilities for the class of station for stations (other than Class C stations) operating on non-reserved channels, and 3) minimum or existing Class C facilities, whichever is greater, for Class C stations. For clear channel Class A AM stations, the service area was defined by the station's 0.5 mV/m groundwave contour, based on its licensed facilities. For all other classes of full-time AM stations, reception service was defined as that service received within a station's nighttime interference-free contour. See Meeker and Craig, Colorado, 15 FCC Rcd 23858 (2000), Stamps and Fouke, Arkansas, 14 FCC Rcd 10533 (1999), Silverton and Bayfield, Colorado, 14 FCC Rcd 4071 (1999), Malvern and Bryant, Arkansas, 13 FCC Rcd 8426 (1998), and others.

Of the stations listed above, three provide service to 100% of the loss area associated with the proposed reallocation plan: WBAP(AM), KRLD(AM), and KMAD-FM. Another two stations, KWRD-FM and KESN(FM) provide service to all but a fraction of a percent of the loss area. Stations KITX(FM) and KOYN(FM) provide service to the small area not served by KWRD-FM and KESN(FM). The attached Loss Area Study map shows the contours of these seven stations, thereby demonstrating that the entire loss area will continue to be well-served by at least five aural services. (The two Class A AM 0.5 mV/m contours encompass the entire area of the map exhibit.)³

No Tuck Analysis Required

The allotment of Channel 248C2 at Tom Bean will provide 70 dBu service to 99% of the Sherman, Texas Urbanized Area. It should be noted, however, that the existing allotment of Channel 248C2 at Durant provides 70 dBu service to 100% of the Sherman Urbanized Area.

The allotment of Channel 248C2 at Tom Bean will provide 70 dBu service to 27% of the McKinney, Texas Urbanized Area. This figure is significantly less than the 50% threshold which would trigger a "Tuck" analysis.

Tom Bean itself is not located within any Urbanized Area. Based on the foregoing, it is not believed that the instant proposal triggers any concern with the migration of rural stations to

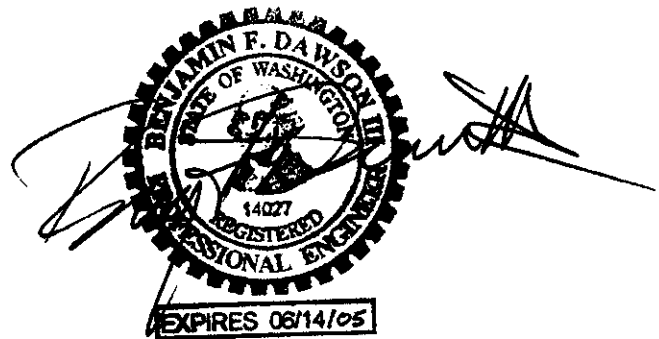
³Of course, numerous other stations (as listed above) provide service to the loss area, but only the seven contours are shown on the map exhibit for the sake of clarity, because this is the minimum number of stations necessary to demonstrate that the entire loss area is well-served.

urban areas, particularly since the existing facility already provides service to 100% of an Urbanized Area

Statement of Engineer

This Engineering Statement supporting a Petition for Rulemaking to revise the Table of Allotments at Durant, Oklahoma, and Tom Bean, Texas, has been prepared by Erik C. Swanson under my direct supervision. All representations herein are true to the best of my knowledge. I am an experienced radio engineer whose qualifications are a matter of record with the Federal Communications Commission. I am a partner in the firm of Hatfield & Dawson Consulting Engineers and am Registered as a Professional Engineer in the States of Washington and California.

Signed this 5th day of August, 2004.



Benjamin F. Dawson III, P.E.

Hatfield & Dawson Consulting Engineers

=====

SEARCH PARAMETERS

FM Database Date: 040728

Channel: 248C2 97.5 MHz
 Latitude: 33 28 52
 Longitude: 96 32 3
 Safety Zone: 50 km
 Job Title: TOM BEAN 248C2 ALLOTMENT SITE

Page 1

Call Status	City St	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-True	Dist (km)	Req (km)
KEGL LIC	FORT WORTH TX	BLH-990311KG	246C 97.1	100.000 508.0	32-35-19 096-58-05	202.3 SS	106.96 1.96	105 CLOSE
ADD	FORT TOWSON OK	RM-VM4	247A 97.3	0.000 0.0	33-53-55 095-17-35	67.6	124.04 18.04	106 CLEAR
NEW-T APP	CHICKASHA OK	BNPFT-030311AJL	248D 97.5	0.250 45.0	35-01-53 097-57-21	323.2	216.14 0.00	0 TRANS
DEL NOTE:	DURANT OK	RM-bh-17	248C2 97.5	0.000 0.0	33-41-31 096-26-36	19.7	24.86 -165.14	190 SHORT
	SEE DISCUSSION IN TEXT							
KLAK LIC	DURANT OK	BLH-980508KE	248C2 97.5	27.000 205.0	33-41-31 096-26-36	19.7	24.86 -165.14	190 SHORT
K248AN LIC	NEWCASTLE OK	BLFT-000508AAX	248D 97.5	0.075 171.0	35-11-28 097-35-49	333.1	213.41 0.00	0 TRANS
DEL NOTE:	ARCHER CITY TX	RM-bh-12	248C1 97.5	0.000 0.0	33-36-58 098-51-42	274.6	216.68 -7.32	224 SHORT
	SEE DISCUSSION IN TEXT							
RSV NOTE:	ARCHER CITY TX	-	248C1 97.5	0.000 0.0	33-36-58 098-51-42	274.6	216.68 -7.32	224 SHORT
	SEE DISCUSSION IN TEXT							
KRZB CP	ARCHER CITY TX	BMPH-990217IB	248C2 97.5	50.000 150.0	33-51-40 098-38-52	282.8	200.50 10.50	190 CLEAR
NEW-T APP	ATHENS TX	BNPFT-030317JNC	248D 97.5	0.250 146.0	32-12-23 095-52-12	156.2	154.43 0.00	0 TRANS
K248BC CP	DALLAS TX	BNPFT-030806ACV	248D 97.5	0.075 185.0	32-44-28 096-53-42	202.3	88.71 0.00	0 TRANS
ADD NOTE:	KELLER TX	RM-bh-21	248C 97.5	0.000 0.0	33-26-13 097-29-05	267.1	88.51 -160.49	249 SHORT
	SEE DISCUSSION IN TEXT							
ADD NOTE:	KELLER TX	RM-bh-17	248C 97.5	0.000 0.0	33-26-13 097-29-05	267.1	88.51 -160.49	249 SHORT
	SEE DISCUSSION IN TEXT							

=====

SEARCH PARAMETERS

FM Database Date: 040728

Channel: 248C2 97.5 MHz Page 2

Latitude: 33 28 52

Longitude: 96 32 3

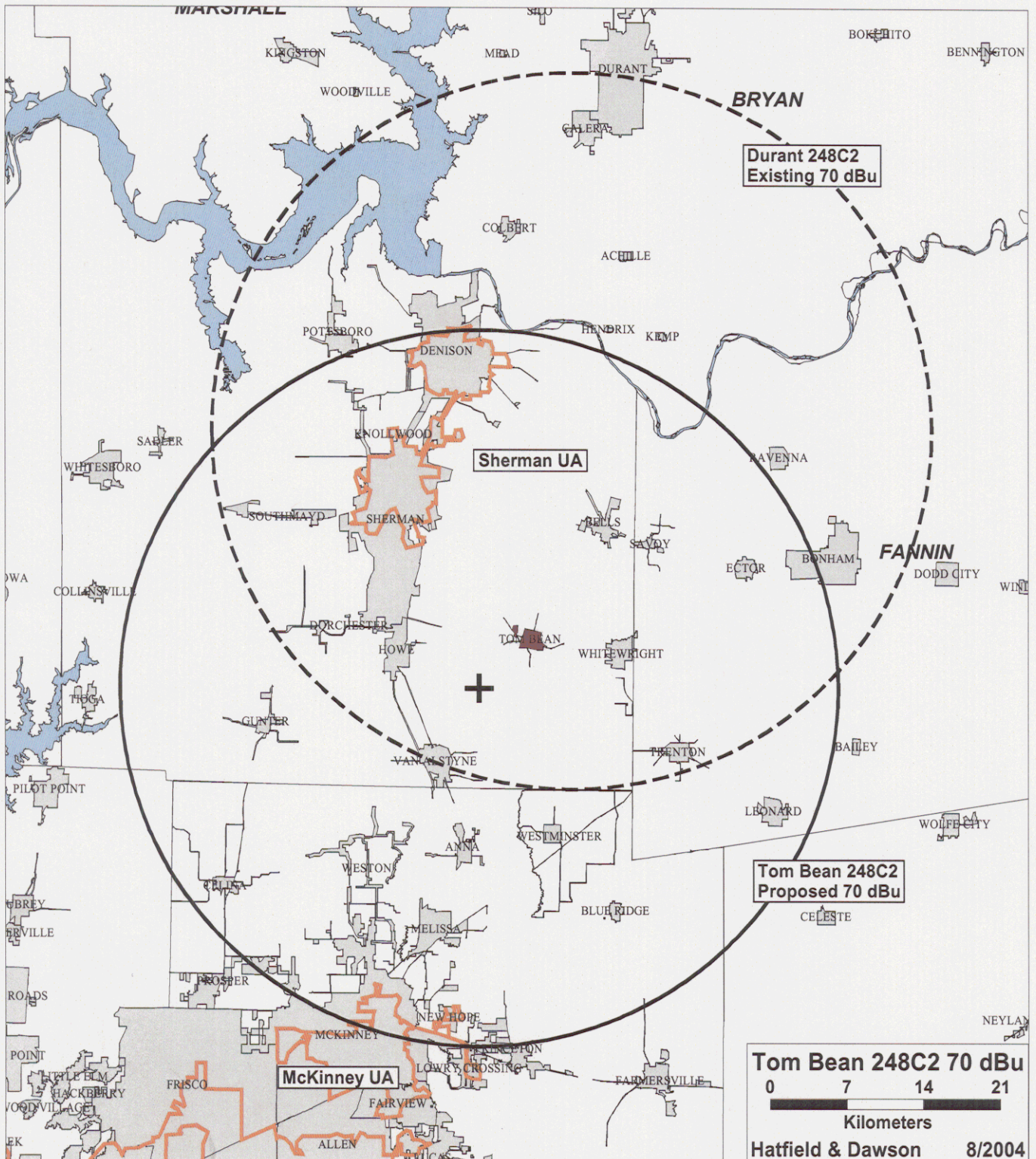
Safety Zone: 50 km

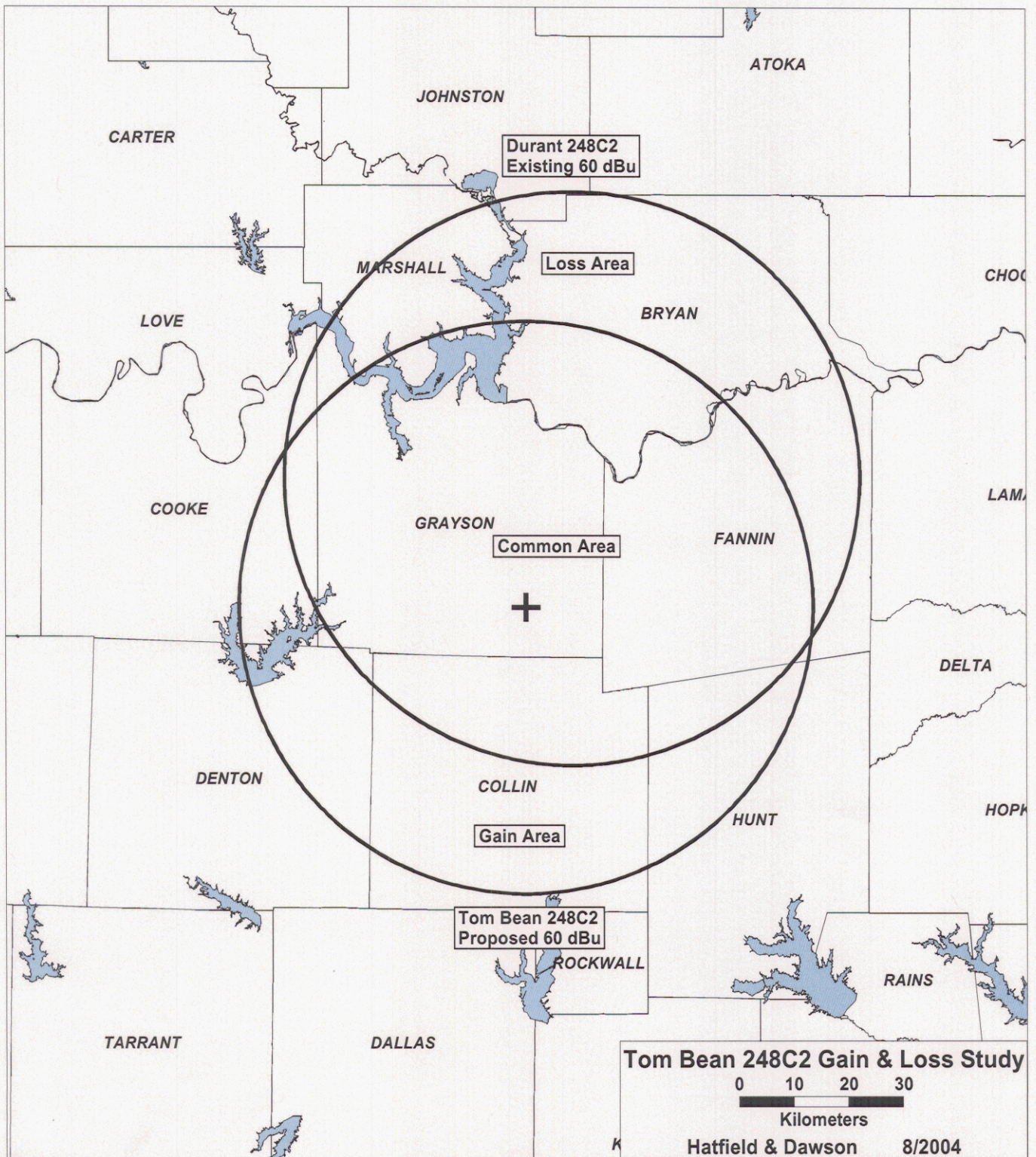
Job Title: TOM BEAN 248C2 ALLOTMENT SITE

Call Status	City St	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-True	Dist (km)	Req (km)
NEW-T	LINDALE		248D	0.170	32-30-49	135.7	149.48	0
APP	TX	BNPFT-030317JKI	97.5	123.0	095-25-14		0.00	TRANS
NEW-T	MINERAL WELLS		248D	0.250	32-51-05	244.9	162.62	0
APP	TX	BNPFT-030310BGU	97.5	96.0	098-06-31		0.00	TRANS
NEW-T	MINERAL WELLS		248D	0.205	32-55-15	246.9	156.58	0
APP	TX	BNPFT-030317LGQ	97.5	120.0	098-04-32		0.00	TRANS
NEW-T	OWENTOWN		248D	0.250	32-26-33	133.7	166.14	0
APP	TX	BNPFT-030317ILI	97.5	119.0	095-15-13		0.00	TRANS
DEL	WACO		248C2	0.000	31-30-51	196.0	226.80	190
	TX	RM-10198	97.5	0.0	097-11-43		36.80	CLEAR
KWTX-FM	WACO		248C	100.000	31-20-16	197.2	248.63	249
CP MOD	TX	BMPH-981125IC	97.5	430.0	097-18-36		-0.37	SHORT
KWTX-FM	WACO		248C	100.000	31-20-15	197.2	248.67	249
LIC	TX	BLH-981125KE	97.5	451.0	097-18-37		-0.33	SHORT
KWTXaux	WACO		248C	0.920	31-30-51	196.0	226.80	0
CP	TX	BXPH-040211ABC	97.5	140.0	097-11-44		0.00	AUX
DEL	HEALDTON		249C3	0.000	34-17-28	315.9	126.04	117
	OK	RM-bh-15	97.7	0.0	097-29-23		9.04	CLOSE
KICM	HEALDTON		249C3	25.000	34-21-00	318.8	128.90	117
LIC	OK	BMLH-030627ABF	97.7	100.0	097-27-35		11.90	CLEAR
KICM	HEALDTON		249C3	10.000	34-20-57	318.8	128.64	117
CP	OK	BPH-031023ACQ	97.7	156.0	097-27-24		11.64	CLEAR
KALK	WINFIELD		249C3	22.500	33-11-01	104.7	127.72	117
LIC	TX	BLH-920813KC	97.7	100.0	095-12-32	SS	10.72	CLEAR
KBFB	DALLAS		250C	100.000	32-35-15	202.2	107.01	105
LIC	TX	BLH-910515KB	97.9	491.0	096-57-59		2.01	CLOSE
RSV	BENNINGTON		251A	0.000	34-04-00	37.1	81.77	55
	OK	RM-nj159	98.1	0.0	095-59-52		26.77	CLEAR
KFYZ-FM	BENNINGTON		251A	3.500	34-02-40	37.1	78.60	55
APP	OK	BPH-040714ABV	98.1	64.0	096-01-10		23.60	CLEAR

===== END OF FM SPACING STUDY FOR CHANNEL 248 =====

Hatfield & Dawson Consulting Engineers





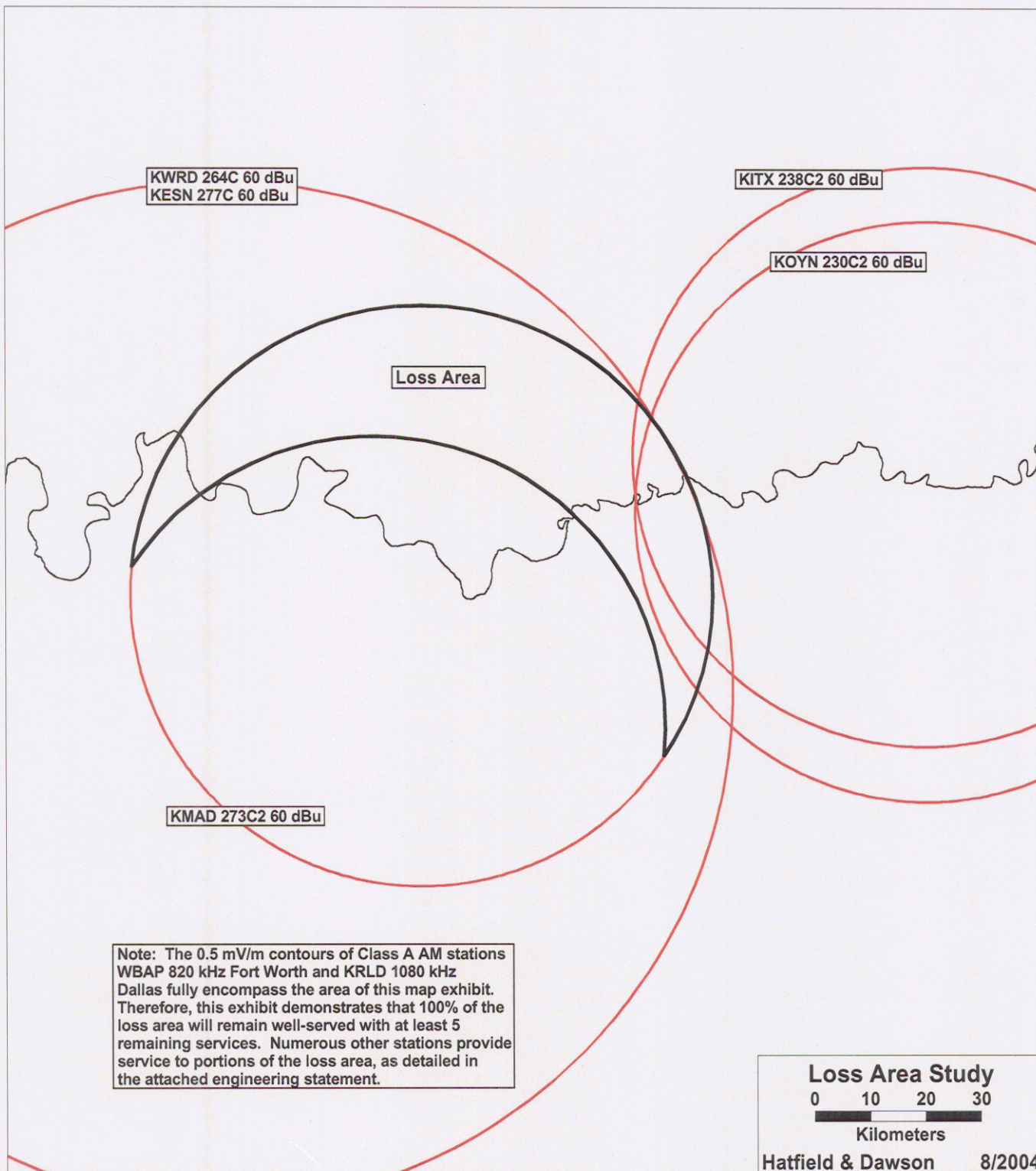
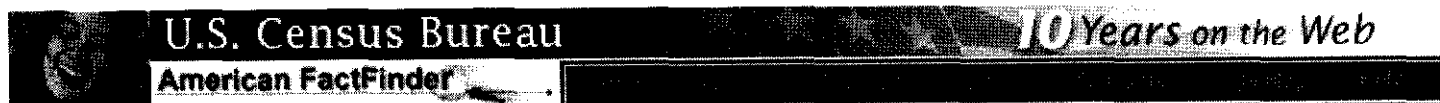


Exhibit 1

2000 Census Bureau Data

(X) Not applicable.

Source: U.S. Census Bureau, Summary File 1 (SF 1) and Summary File 3 (SF 3)



P27. PLACE OF WORK FOR WORKERS 16 YEARS AND OVER--PLACE LEVEL [5] - Universe:

Workers 16 years and over

Data Set: Census 2000 Summary File 3 (SF 3) - Sample Data

NOTE: Data based on a sample except in P3, P4, H3, and H4. For information on confidentiality protection, sampling error, nonsampling error, and definitions see <http://factfinder.census.gov/home/en/datanotes/expsf3.htm>.

	Tom Bean city, Texas
Total:	428
Living in a place:	428
Worked in place of residence	56
Worked outside place of residence	372
Not living in a place	0

U.S. Census Bureau
Census 2000

Standard Error/Variance documentation for this dataset:

Accuracy of the Data: Census 2000 Summary File 3 (SF 3) - Sample Data (PDF 141.5KB)



U.S. Census Bureau

American FactFinder

FACT SHEET

Tom Bean city, Texas

Highlights from the Census 2000 Demographic Profiles:

General Characteristics - show more >>

	Number	Percent	U.S.		
Total population	941	100.0	100%	map	brief
Male	449	47.7	49.1%	map	brief
Female	492	52.3	50.9%	map	brief
Median age (years)	32.2	(X)	35.3	map	brief
Under 5 years	68	7.2	6.8%	map	
18 years and over	639	67.9	74.3%		
65 years and over	93	9.9	12.4%	map	brief
One race	930	98.8	97.6%		
White	905	96.2	75.1%	map	brief
Black or African American	4	0.4	12.3%	map	brief
American Indian and Alaska Native	11	1.2	0.9%	map	brief
Asian	2	0.2	3.6%	map	brief
Native Hawaiian and Other Pacific Islander	2	0.2	0.1%	map	brief
Some other race	6	0.6	5.5%	map	
Two or more races	11	1.2	2.4%	map	brief
Hispanic or Latino (of any race)	37	3.9	12.5%	map	brief
Average household size	2.64	(X)	2.59	map	brief
Average family size	3.15	(X)	3.14	map	
Total housing units	380	100.0	100.0%	map	
Occupied housing units	357	93.9	91.0%		brief
Owner-occupied housing units	246	68.9	66.2%	map	
Renter-occupied housing units	111	31.1	33.8%	map	brief
Vacant housing units	23	6.1	9.0%	map	

Social Characteristics - show more >>

	Number	Percent	U.S.		
Population 25 years and over	587	100.0			
High school graduate or higher	520	88.6	80.4%	map	brief
Bachelor's degree or higher	62	10.6	24.4%	map	
Civilian veterans (civilian population 18 years and over)	89	14.0	12.7%	map	brief
Disability status (population 21 to 64 years)	86	16.5	19.2%	map	brief
Foreign born	7	0.7	11.1%	map	brief
Now married (population 15 years and over)	428	61.9	54.4%		brief
Speak a language other than English at home (5 years and over)	28	3.2	17.9%	map	brief

Economic Characteristics - show more >>

	Number	Percent	U.S.		
In labor force (population 16 years and over)	464	69.2	63.9%		brief
Mean travel time to work in minutes (population 16 years and over)	23.6	(X)	25.5	map	brief
Median household income (dollars)	38,875	(X)	41,994	map	
Median family income (dollars)	50,000	(X)	50,046	map	
Per capita income (dollars)	16,113	(X)	21,587	map	
Families below poverty level	19	7.6	9.2%	map	brief
Individuals below poverty level	85	9.0	12.4%	map	

Housing Characteristics - show more >>

	Number	Percent	U.S.		
Single-family owner-occupied homes	221	100.0			brief
Median value (dollars)	69,800	(X)	119,600	map	brief
Median of selected monthly owner costs	(X)	(X)			brief
With a mortgage	829	(X)	1,088	map	
Not mortgaged	293	(X)	295		